

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Jun 15, 2020**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

LUKE S.,

Plaintiff,

v.

ANDREW M. SAUL, Commissioner of  
Social Security,

Defendant.

No. 4:20-cv-05086-SMJ

**ORDER DECLINING TO  
ADOPT REPORT AND  
RECOMMENDATION AS  
MOOT AND DIRECTING  
ASSIGNMENT TO JUDGE  
DIMKE**

Before the Court is Magistrate Judge Rodgers's May 22, 2020 Report and Recommendation, ECF No. 5, recommending the Court deny Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs, ECF No. 2. Objections to the Report and Recommendations were due on June 5, 2020. However, on June 3, 2020, Plaintiff paid the filing fee. As such, the Court declines to adopt the Report and Recommendation as moot. Further, on June 3, 2020, a Consent Order was entered referring this matter to Magistrate Judge Dimke upon consent of the parties. ECF No. 7.

Accordingly, **IT IS HEREBY ORDERED:**

**1.** The Court **DECLINES** to adopt the Report and Recommendation as

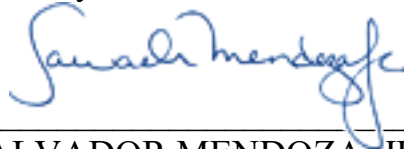
ORDER DECLINING TO ADOPT REPORT AND RECOMMENDATION AS  
MOOT AND DIRECTING ASSIGNMENT TO JUDGE DIMKE – 1

1                   **MOOT.**

2           **2.**     The Clerk's Office is directed to reassign this matter to Judge Dimke  
3                   in accordance with the Consent Order, ECF No. 7.

4           **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
5 provide copies to all counsel.

6           **DATED** this 15<sup>th</sup> day of June 2020.

7                   

8                   \_\_\_\_\_  
SALVADOR MENDOZA, JR.  
9                   United States District Judge